# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

**Option One Mortgage Corporation** 

Case No. 2:07-cv-498

Plaintiff,

Judge George C. Smith

vs.

ORDER OF CONFIRMATION OF SALE AND DISTRIBUTION

Patricia A. Martin, et al.

Defendants.

This action is before the Court upon the Notice of Deposit of Foreclosure Sale filed by the Special Master with respect to the property commonly known as 4892 Stoneybrook Blvd., Hilliard, OH 43026, parcel no. 560-216075-00 (the "Property"). The legal description of the Property is attached to this order as Exhibit A, which is incorporated herein by reference.

- Consistent with section 3.12 of General Order No. 07-03 and section 2329.34 of the Ohio Revised Code, the Court finds that a special reason exists why a county sheriff or the United States Marshal's Office cannot conduct the sale.
- 2. The Property was sold by the Special Master on May 7, 2009 to Option One Mortgage Corporation for the following amount: \$69,333.33. Option One Mortgage Corporation subsequently assigned its bid to Wells Fargo Bank, National Association as Trustee for Securitized Asset Backed Receivables LLC 2005-OP2 Mortgage Pass-Through Certificates, Series 2005-OP2 ("Plaintiff's Assignee").
- 3. Having carefully examined the proceedings of the officer, the Court finds that the sale of the Property conformed in all respects to the law and the prior orders of this Court and

~t 4

- hereby confirms and approves the sale of the Property and these proceedings.
- 4. The Special Master, within 5 days of the date of this Entry, shall convey the Property to Wells Fargo Bank, National Association as Trustee for Securitized Asset Backed Receivables LLC 2005-OP2 Mortgage Pass-Through Certificates, Series 2005-OP2 by deed according to law free and clear of all liens and encumbrances and shall issue the deed in the following name: Wells Fargo Bank, National Association as Trustee for Securitized Asset Backed Receivables LLC 2005-OP2 Mortgage Pass-Through Certificates, Series 2005-OP2.
- The tax mailing address of the purchaser of the Property is as follows: 4600 Regent Boulevard, Suite 200, Irving, TX 75063.
- The prior deed reference with respect to the Property is as follows: Deed dated January 4,
   1990, filed January 8, 1990, recorded in Official Records Volume 14593, Page F14,
   Recorder's Office, Franklin County, Ohio.
- 7. The purchaser of the Property is hereby subrogated to the rights of the mortgagees and lien holders in the Property to the extent necessary to protect the purchaser's title to the Property.
- 8. The Court hereby grants the purchaser of the Property a writ of possession to put the purchaser in possession of the Property.
- 9. The Court hereby orders the release of all mortgages and liens held by all parties to this action. As a result, upon recording of a certified copy of this Order in the office of the Franklin County Recorder, each of the mortgages and liens listed on Exhibit B, which is attached to this Order and incorporated herein by reference, shall be ordered released by operation of law. Such mortgages and liens shall be released only to the extent that they

- encumber the property foreclosed upon in this action and not to the extent that they encumber any other property.
- Because Wells Fargo Bank, National Association as Trustee for Securitized Asset
  Backed Receivables LLC 2005-OP2 Mortgage Pass-Through Certificates, Series
  2005-OP2 is the assignee of the successful bid of Option One Mortgage Corporation,
  which holds a valid and subsisting mortgage on the Property, it need not pay the full
  amount of the purchase price to the Special Master. Instead, the bid of Wells Fargo
  Bank, National Association as Trustee for Securitized Asset Backed Receivables LLC
  2005-OP2 Mortgage Pass-Through Certificates, Series 2005-OP2 shall be credited
  against the amount of the judgment previously entered in favor of the Plaintiff. Plaintiff
  is further ordered to pay the following:
  - a. To the County Treasurer, \$0.00 for taxes and assessments due on the Property as represented by tax bill attached as Exhibit C.
- 11. The following amount shall be applied as a credit toward the amount of the judgment previously entered in favor of the Plaintiff: \$69,333.33.
- 12. The Clerk is hereby ordered to distribute \$500.00 to the Special Master from the amount placed on deposit by the Plaintiff.
- 13. Having distributed payment for the appraisals in accordance with section 3.12 of General Order 07-03, the Clerk is hereby ordered to return the balance of the deposit, \$550.00, plus accrued interest, if any, to the Plaintiff.

IT IS SO ORDERED.

Judge George Q. Smith

United States District Court Judge

# EXHIBIT A

#### Legal Description of the Property

Situated in the Stale of Ohio, County of Franklin and in the City of Columbus:
Being Unit 20-F of HILLIARD HEIGHTS CONDOMINIUM, together with an undivided interest in Common areas thereof, as the same is designated and described in the Declaration and Drawings thereof, of record in Official Record 1373A01: and First Amendment of record in Official Record 13745A09; Second Amendment of Record in Official Record 13889C10; Third Amendment of record in Official Record 14060H20; and Fourth Amendment of record in Official Record 14397A07: and Fifth Amendment of record in Official Record 14540G13; and on Condominium Plat Book 44, pages 39, 40 and 41; First Amendment in Condominium Plat Book 44, pages 67 through 71; Third Amendment in Condominium Plat Book 44, pages 84, 85 and 86: Fourth Amendment in Condominium Plat Book 45, pages 88, 89 and 90; and Fifth Amendment in Condominium Plat Book 46, pages 4, 5 and 6. Recorder's Office, Franklin County, Ohio.

Parcel Number: 560-216075-00

Property Address: 4892 Stoneybrook Blvd., Hilliard, OH 43026

#### **EXHIBIT B**

#### Mortgages and Liens to be Released

 Mortgage in favor of Red Brick Mortgage LLC, 8101 N. High St., Ste. 180, Columbus, OH 43235, from Patricia A. Martin, unmarried, in the amount of \$75,600.00, filed July 1, 2005, recorded at Official Instrument Number 20050701029184, Recorder's Office, Franklin County, Ohio.

as assigned to Option One Mortgage Corporation, 3 Ada, Irvine, CA 92618, by Assignment filed May 8, 2006, recorded at Official Instrument Number 200605080086663, Recorder's Office, Franklin County, Ohio.

Modification of Mortgage filed August 15, 2006, recorded at Official Instrument Number 200608150161382, Recorder's Office, Franklin County, Ohio.

# **EXHIBIT C**

# Franklin County Treasurer Edward J Leonard

generated on 6/23/2009 3:55:14 PM EDT

# **Tax Information**

Scroll down to view Payment Information

<b>el ID</b> 216075-00	Address 4892 STONEYBROOK BL			Index Order Parcel ID		Card(s)
_				County Treasurer		
			K AND PAYME	NT INFORMATIO		7.450000
Current Owner(s) MARTIN PATRICIA A				Full Rate Reduction	107.450000	
				Factor	0.35467900	
Billing Name ZC STERLING TAX SOLUTIONS				Effective Rate	69	9.339779
SUITE 400				Tax District		LUMBUS-
210 INTERSTATE NORTH PKWY					HILLIAF	RD C.S.D.
	ATLANTA, GA	30339		CDQ Year		
				Tax Lien Flag		
Assessed \	/alue			Annual Tax	•	2,000.36
Land \$6,090				Alliquitax	4	12,000.30
Imp	rovements	\$26,880				
	Total	\$32,970				
		Curren	t Year Ta	x Detail		
	Prior	Prior-Adj	1⁵¹ Half	1 <sup>ST</sup> Adj	2 <sup>ND</sup> Half	2 <sup>ND</sup> Adj
Orig Tax		\$0.00	\$1,771.31	\$0.00	\$1,771.31	\$0.00
Reduction			\$628.24	\$0.00	\$628.24	\$0.00
Subtota			\$1,143.07		\$1,143.07	
10% RE			\$114.31	\$0.00	\$114.31	\$0.00
2.5% RE Homestea			\$28.58	\$0.00	\$28.58	\$0.00
CR			\$0.00	\$0.00	\$0.00	\$0.00
Net Tota			\$1,000.18		\$1,000.18	
Penalty / Int		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
RE Chrg			\$1,000.18		\$1,000.18	
RE Paid	7		\$1,000.18		\$1,000.18	
SA Chrg SA Paid			\$0.00 \$0.00		\$0.00 \$0.00	
Total Owed			\$0.00 <b>\$1,000.18</b>		\$1,000.18	
Total Paid	,		\$1,000.18		\$1,000.18	\$2,000.36
Balance Due			\$0.00		\$0.00	,
Future Charge		\$0.00		\$0.00		\$0.00
Future Paid		\$0.00		\$0.00		\$0.00
		Detail of	Special As	sessment		
	Prior	Prior-Adj	1 <sup>ST</sup> Half	1 <sup>ST</sup> Adj	2 <sup>ND</sup> Half	2 <sup>ND</sup> Adj
		No I	Records Fo	und		•
		Future assess	ment charges	are not listed.		
		Davm	ent Inforn	nation		
Date	Half	Proj	Prior	1 <sup>ST</sup> Half	2 <sup>ND</sup> Half	Surplus
06/15/09	2-08		\$0.00	\$0.00	\$1,000.18	\$0.00
01/16/09	1-08		\$0.00	\$1,000.18	\$0.00	\$0.00
06/09/08	2-07		\$0.00	\$0.00	\$879.11	\$0.00
01/18/08	1-07		\$0.00	\$879.11	\$0.00	\$0.00
06/15/07	2-06		\$0.00	\$0.00	\$877.58	\$0.00
01/29/07	1-06		\$0.00	\$877.58	\$0.00	\$0.00

Payments received will not show paid until posted